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Agenda item 10

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Egypt (on behalf of the African Group): draft resolution

1997/... Situation of human rights in Burundi

The Commission on Human Rights,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenants on Human Rights,

Reaffirming its complete determination with regard to respect for the principles of the rule of law, which involves democracy, national unity, pluralism and respect for human rights and fundamental freedoms,

Reaffirming also that all States have the right and duty to promote and protect human rights and to fulfil their obligations under the various instruments to which they are parties;

Recalling its resolution 1996/1 of 27 March 1996,

Recalling also Security Council resolution 1072 (1996) of 30 August 1996,

Aware of the fact that Burundi is a party to the 1951 Convention relating to the Status of Refugees, to the 1967 Protocol relating to the

Status of Refugees, to the Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa, to the International Covenant on Civil and Political Rights and to the International Covenant on Economic, Social and Cultural Rights,

Concerned about the coup d'état which took place on 25 July 1996 in Burundi,

Emphasizing that the primary responsibility for peace lies with the people of Burundi,

Noting the undertakings of the new authorities to restore peace and security with a view to promoting socio-economic development,

Emphasizing that the Government of Burundi is responsible for ensuring the safety of its population as well as that of personnel of international humanitarian organizations, refugees, returnees and displaced people,

Acknowledging the efforts made by the United Nations, the Organization of African Unity and the European Union aimed at contributing to a peaceful settlement of the Burundian crisis,

Taking into account the conclusions of the regional summits, including those held in Arusha, Nairobi and Brazzaville, on the situation in the Great Lakes region, and in Burundi in particular,

Considering the decisions, conclusions and recommendations adopted by the Council of Ministers of the Organization of African Unity in Tripoli,

Recognizing the important role of women in the reconciliation process and the search for peace, and urging the Government to integrate them into the community and improve their living conditions,

1. Takes note of the interim report of the Special Rapporteur (A/51/459, annex) on the situation of human rights in Burundi, and his second report (E/CN.4/1997/12 and Corr.1), as well as its addendum of 7 March 1997;

2. Supports the efforts made by the United Nations, the Organization of African Unity and the European Union mediators in the search for a lasting solution to the problems of the Great Lakes region, and especially the efforts made by the Special Representatives of the Secretary-General of the United Nations and the Organization of African Unity;

3. Encourages the Organization of African Unity, particularly through its Mechanism for Conflict Prevention, Management and Resolution, to put an end to the further deterioration of the situation;

4. Appeals to the countries of the region which imposed sanctions on Burundi to carry out an objective evaluation of the situation prevailing in the country as the result of the implementation of sanctions and to review the sanctions in the light of progress in the peace process;

5. Strongly condemns the massacres of innocent civilians by all parties, summary and extrajudicial executions, enforced disappearances, arbitrary arrests and detention, violence and restrictions on movement;

6. Encourages all the parties to the conflict to work towards ending the cycle of violence and unacceptable killings of innocent people, including refugees, and in particular women, children and the elderly;

7. Regrets that the changes which occurred on 25 July 1996 were unconstitutional but notes the intention of the transitional government to call a general election after three years in power;

8. Strongly condemns the murder of three workers from the delegation of the International Committee of the Red Cross which took place at Mugina in the Cibitoke province on 4 June 1996, and urges the Government of Burundi to publish the results of the investigations carried out in this connection and to bring the culprits to justice;

9. Urges the Government of Burundi and, in particular, the armed forces of Burundi, as well as the other parties involved in the hostilities, scrupulously to respect the principles and rules of international humanitarian law and to facilitate the activities of the International Committee of the Red Cross so that it may carry out its mandate;

10. Notes the functioning of the Criminal Appeal Court and requests the Government of Burundi to do everything possible to facilitate its work so as to eradicate impunity quickly;

11. Expresses its satisfaction at the dismantling of the radio stations which broadcast messages of hatred and violence, as well as the sanctions taken against local newspapers which were pursuing the same objectives;

12. Encourages the Burundian authorities in their efforts to promote conditions for reform and national reconciliation;

13. Supports the Government of Burundi in its commitment to continuing the dialogue among the Burundians, including armed factions, in order to reach a lasting political settlement and to promote a climate of reconciliation;

14. Urges the international community to continue to provide humanitarian assistance needed by displaced persons and returnees in Burundi;

15. Calls upon the Government of Burundi to continue to cooperate with the Human Rights Field Operation in Burundi and to provide it with access throughout the country;

16. Calls for the expansion of the Human Rights Field Operation to 35 observers as planned and agreed;

17. Makes a strong appeal to the international community to commit itself resolutely to contributing to reconciliation and confidence-building in the Great Lakes region;

18. Welcomes the international efforts to reach a durable solution to the conflict in Burundi and calls on all parties to work constructively with the international mediators;

19. Requests States not to allow their territories to be used as bases for incursions or attacks against other States, in violation of the principles of international law and of the Charter of the United Nations;

20. Condemns the illegal sale and distribution of weapons and related materials which disturb peace and security in the region;

21. Urges States and international and governmental organizations to cooperate with any initiatives aimed at the reconstruction of Burundi and calls upon international financial institutions to support these initiatives;

22. Welcomes with satisfaction the implementation of a programme of technical assistance, and invites the United Nations High Commissioner for Human Rights/Centre for Human Rights to provide ongoing assistance, particularly in the field of justice and the training of members of the armed forces and the police, and to promote human rights;

23. Requests the Special Rapporteur to report to the Commission on Human Rights at its fifty-fourth session under agenda item 10 and to the General Assembly at its fifty-second session.